

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ray Wasielewski

Conf. No. 1366

Application No.: 10/667,763

Group No.: 3733

Filed: September 22, 2003

Examiner: Philogene, Pedro

For: Apparatus, System & Method for Intraoperative Performance Analysis During Joint Arthroplasty

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. Preliminary Statements
2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)
3. Copies of Listed Information Items Accompanying This Statement
4. Identification of Person(s) Making This Information Disclosure Statement

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is **mandatory**;  
Express Mail certification is optional.)*

I hereby certify that this correspondence is being transmitted via  
The Office electronic filing system in accordance with 37 CFR 1.6(a)(4)

/Stephen J. Manich/  
Signature

Date: August 30, 2007

Stephen J. Manich  
(type or print name of person certifying)

*\* Only the date of filing ("1.6") will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under "1.8 continues to be taken into account in determining timeliness. See "1.703(f). Consider "Express Mail Post Office to Addressee" ("1.10) or facsimile transmission ("1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

## **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The last document listed under "Publications" is a Declaration signed by the inventor of the present application. This Declaration relates to use of a device; it is believed that the Declaration supports a finding that this use was experimental.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## **Section 2. Forms PTO/SB/08A and 08B (formerly Form PTO-1449)**

PTO/SB/08A [Form 6-2] are attached.

## **Section 3. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed in Forms PTO/SB/08A accompany this information statement, with the exception of the U.S. Patents.

## **Section 4. Identification of Person Making This Information Disclosure Statement**

The person making this certification is the practitioner who signs below on the basis of the information in the practitioner's file.

Date: August 30, 2007

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